

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 2-8, and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,191,236 to Roby et al. (herein referred to as "Roby I"). This rejection is respectfully traversed.

Nowhere does Roby I disclose a process for manufacturing a monofilament suture made from a block copolymer of about 50 to about 80% glycolide and about 20 to about 50% trimethylene carbonate. Rather, Roby I discloses a process for manufacturing AB block copolymers wherein the A blocks include glycolide and the B blocks includes 2 copolymerized p-dioxanone polymers, i.e., 1,3 dioxane-2-one copolymerized with 1, 4 dioxan-2-one (see column 2, lines 19-26 of Roby I). The 2 copolymerized p-dioxanone polymers representing the B blocks of Roby I are not trimethylene carbonate. Thus, the AB block copolymers of Roby I are not glycolide/trimethylene carbonate block copolymers. Therefore, Roby I fails to disclose a process for manufacturing block copolymers which include glycolide and trimethylene carbonate.

Roby I also fails to disclose a process for manufacturing a monofilament suture wherein the monofilament is drawn through a third oven maintained at a temperature of about 120°C to about 140°C at a draw ratio of about 0.7:1 to about 0.8:1. As noted by the Examiner, Roby I fails to explicitly teach a third draw ratio of about 0.7:1 to about 0.8:1. Roby I also fails to explicitly disclose a third draw maintained at a temperature of about 120°C to about 140°C. Rather, Roby I discloses a process in which the AB block copolymer of glycolide and a copolymer of 1,3 dioxane-2-one and 1, 4 dioxan-2-one is drawn through a third oven maintained at a temperature

of 50°C to 120°C at a draw ratio of 0.96:1 to 0.98:1. Thus Roby I discloses a third draw maintained at a lower temperature and higher draw ratio than the third draw of the present application.

For at least the foregoing reasons, Applicants respectfully submit that claims 2 and 13 patentably define over Roby I and are therefore in condition for allowance. Since claims 3-8 depend from claim 2, and contain all the features of claim 2, Applicants respectfully submit that these claims are also in condition for allowance.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to claims 2-8 and 13, and the allowance thereof are respectfully requested.

Claims 9-11, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roby I as applied to claims 2-8 and 13 above, and further in view of U.S. Patent No. 6,235,869 to Roby et al. (hereinafter referred to as "Roby II"). This rejection is respectfully traversed.

Since claims 9-11, and 14 depend from claims 2 and 13, and contain all the features of claims 2 and 13, Applicants respectfully submit that Roby I fails to render claims 9-11, and 14 as obvious for the same reasons provided above regarding claims 2 and 13.

Roby II fails to cure the deficiencies of Roby I. Nowhere does Roby II disclose a process for manufacturing a monofilament suture made from a block copolymer of about 50 to about 80% glycolide and about 20 to about 50% trimethylene carbonate. Rather, Roby II discloses a process for manufacturing a random polymer of glycolide (about 68-75%), caprolactone (about 12-17%), trimethylene carbonate (about 1-19%) and lactide (about 1-19%) [see col. 2, lines 58-68 to col. 3, lines 1-8 of Roby II]. In fact, Roby II teaches away from block copolymers by differentiating the random polymers of glycolide, caprolactone, trimethylene carbonate and lactide, as exhibiting strength retention, mass loss and modulus similar to gut sutures, unlike

other known block copolymers, i.e., Monocryl, Dexon and Vicryl. (see column 1, lines 24-67 and column 2, lines 58-62 of Roby II).

In addition, Roby II fails to disclose a process for manufacturing a monofilament suture wherein the monofilament is drawn through a third oven maintained at a temperature of about 120°C to about 140°C at a draw ratio of about 0.7:1 to about 0.8:1. Rather Roby II discloses a process in which the random polymer containing 4 different polymers is drawn through a third oven maintained at a temperature of about 90°C to about 110°C at a draw ratio of about 0.85:1 to about 1.05:1. Similar to Roby I, Roby II discloses a third draw maintained at a lower temperature and higher draw ratio than the third draw of the present application. Thus, Roby I and Roby II, alone or in any combination, fail to render obvious claims 9-11, and 14.

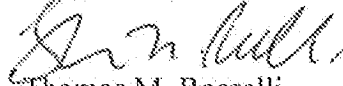
Therefore, it is respectfully submitted that the rejection of claims 9-11, and 14 under 35 U.S.C. §103(a) as being unpatentable over Roby I as applied to claims 2-8 and 13 above, and further in view of Roby II should be withdrawn.

Should the Examiner believe that a telephone interview may facilitate prosecution of this application, the Examiner is respectfully requested to telephone Applicant's undersigned representative at the number indicated above.

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In view of the foregoing amendments and remarks, reconsideration of the application and allowance of claims 2-11, 13 and 14 is earnestly solicited.

Respectfully submitted,



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